

Executive Order 13014 of August 15, 1996

Maintaining Unofficial Relations With the People on Taiwan

In light of the recognition of the People's Republic of China by the United States of America as the sole legal government of China, and by the authority vested in me as President of the United States of America by the Taiwan Relations Act (Public Law 96-8, 22 U.S.C. 3301 *et seq.*) ("Act"), and section 301 of title 3, United States Code, in order to facilitate the maintenance of commercial, cultural, and other relations between the people of the United States and the people on Taiwan without official representation or diplomatic relations, it is hereby ordered as follows:

Section 1. *Delegation and Reservation of Functions.*

1-101. Exclusive of the functions otherwise delegated, or reserved to the President by this order, there are delegated to the Secretary of State ("Secretary") all functions conferred upon the President by the Act, including the authority under section 7(a) of the Act to specify which laws of the United States relative to the provision of consular services may be administered by employees of the American Institute on Taiwan ("Institute"). In carrying out these functions, the Secretary may redelegate his authority, and shall consult with other departments and agencies as he deems appropriate.

1-102. There are delegated to the Director of the Office of Personnel Management the functions conferred upon the President by paragraphs (1) and (2) of section 11(a) of the Act. These functions shall be exercised in consultation with the Secretary.

1-103. There are reserved to the President the functions conferred upon the President by section 3, the second sentence of section 9(b), and the determinations specified in section 10(a) of the Act.

Sec. 2. *Specification of Laws and Determinations.*

2-201. Pursuant to section 9(b) of the Act, and in furtherance of the purposes of the Act, the procurement of services may be effected by the Institute without regard to the following provisions of law and limitations of authority as they may be amended from time to time:

(a) Sections 1301(d) and 1341 of title 31, United States Code, and section 3732 of the Revised Statutes (41 U.S.C. 11) to the extent necessary to permit the indemnification of contractors against unusually hazardous risks, as defined in Institute contracts, consistent, to the extent practicable, with section 52.228-7 of the Federal Acquisition Regulations;

(b) Section 3324 of title 31, United States Code;

(c) Sections 3709, 3710, and 3735 of the Revised Statutes, as amended (41 U.S.C. 5, 8, and 13);

(d) Section 2 of title III of the Act of March 3, 1933 (41 U.S.C. 10a);

(e) Title III of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 251-260);

(f) The Contract Disputes Act of 1978, as amended (41 U.S.C. 601-613);

(g) Chapter 137 of title 10, United States Code (10 U.S.C. 2301-2316);

EO 13014

Title 3—The President

(h) The Act of May 11, 1954 (the “Anti-Wunderlich Act”) (41 U.S.C. 321, 322); and

(i) Section (f) of 41 U.S.C. 423.

2–202. (a) With respect to cost-type contracts with the Institute under which no fee is charged or paid, amendments and modifications of such contracts may be made with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished, irrespective of the time or circumstances of the making, or the form of the contract amended or modified, or of the amending or modifying contract and irrespective of rights that may have accrued under the contractor the amendments or modifications thereof.

(b) With respect to contracts heretofore or hereafter made under the Act, other than those described in subsection (a) of this section, amendments and modifications of such contracts may be made with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished, irrespective of the time or circumstances of the making, or the form of the contract amended or modified, or of the amending or modifying contract, and irrespective of rights that may have accrued under the contract or the amendments or modifications thereof, if the Secretary determines in each case that such action is necessary to protect the foreign policy interests of the United States.

2–203. Pursuant to section 10(a) of the Act, the Taipei Economic and Cultural Representative Office in the United States (“TECRO”), formerly the Coordination Council for North America Affairs (“CCNAA”), is determined to be the instrumentality established by the people on Taiwan having the necessary authority under the laws applied by the people on Taiwan to provide assurances and take other actions on behalf of Taiwan in accordance with the Act. Nothing contained in this determination or order shall affect, or be construed to affect, the continued validity of agreements, contracts, or other undertakings, of whatever kind or nature, entered into previously by CCNAA.

Sec. 3. President’s Memorandum of December 30, 1978.

3–301. Agreements and arrangements referred to in paragraph (B) of President Carter’s memorandum of December 30, 1978, entitled “Relations With the People on Taiwan” (44 FR 1075) shall, unless otherwise terminated or modified in accordance with law, continue in force and be performed in accordance with the Act and this order.

Sec. 4. General. This order supersedes Executive Order No. 12143 of June 22, 1979.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 15, 1996.

Executive Order 13015 of August 22, 1996

White House Commission on Aviation Safety and Security

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. *Establishment.* There is established the White House Commission on Aviation Safety and Security (the "Commission"). The Commission shall consist of not more than 25 members, to be appointed by the President from the public and private sectors, each of whom shall have experience or expertise in some aspect of aviation safety or security. The Vice President shall serve as the Chair of the Commission.

Sec. 2. *Functions.* (a) The Commission shall advise the President on matters involving aviation safety and security, including air traffic control.

(b) The Commission shall develop and recommend to the President a strategy designed to improve aviation safety and security, both domestically and internationally.

(c) The Chair may, from time to time, invite experts to submit information to the Commission; hold hearings on relevant issues; and form committees and teams to assist the Commission in accomplishing its objectives and duties, which may include individuals other than members of the Commission.

Sec. 3. *Administration.* (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Commission such information with respect to aviation safety and security as the Commission requires to fulfill its functions.

(b) The Commission shall be supported, both administratively and financially, by the Department of Transportation and such other sources (including other Federal agencies) as may lawfully contribute to Commission activities.

Sec. 4. *General.* (a) I have determined that the Commission shall be established in compliance with the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2). Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, shall be performed by the Secretary of Transportation in accordance with the guidelines and procedures established by the Administrator of General Services, except that of reporting to the Congress.

(b) The Commission shall exist for a period of 6 months from the date of this order, unless extended by the President.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 22, 1996.